

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION*

WRIT PETITION NO.9235 OF 2017

Shankar Rajaram Gholap

... Petitioner

Vs

The District Collector, Kolhapur

District & Ors.

... Respondents

...

Mr. Prabhakar M. Jadhav for the Petitioner.

Mr. P. G. Sawant, AGP for the State.

*CORAM : DR. MANJULA CHELLUR, C.J. &
N. M. JAMDAR, J.*

DATE : SEPTEMBER 20, 2017.

P.C. :

1. Heard the learned counsel for the parties.
2. The Petitioner owned certain lands at Village Nivle, Taluka Shahuwadi, District Kolhapur. The State of Maharashtra decided to acquire the lands for the purpose of Chandoli Sanctuary Project. The lands were so acquired and the Petitioner was awarded compensation. According to the Petitioner, as per Section 16 of the Maharashtra

Project Affected Persons Rehabilitation Act, 1999, the Petitioner paid occupancy price and filed an application for allotment of land. It appears that the application has not yet been decided by the Respondent Authorities. Hence, the Petitioner is before us.

3. The learned counsel for the Petitioner made a limited prayer that the application filed by the Petitioner be decided within time bound period.

4. It is indeed unfortunate that inspite of a machinery provided under the Act of 1999, the land losers such as the Petitioner have to approach this Court only to get their representations decided. The authorities are duty bound to implement the statutory scheme in a timely manner keeping in mind that a person who loses the land also loses a livelihood.

5. We therefore, direct the Respondent authorities to decide the application filed by the Petitioner within period of three months from today. The application be decided on its own merits and as per law. With this direction, writ petition is disposed of.

6. We make it clear that we have not examined the merits of the claims made by the Petitioner in the application.

7. All parties to act on an authenticated copy of this order.

N. M. JAMDAR, J.

CHIEF JUSTICE